

REMARKS

This amendment responds to the April 27, 2004 Notice of Non-Compliant Amendment . which required "a complete listing of all of the claims. . . ." (Emphasis in original.) The claims in the amendment mailed April 8, 2004 indicated that applicant cancelled claims 78-81 without prejudice or disclaimer, since the previous amendments cancelled claims 1-77 without prejudice or disclaimer. This amendment indicates, in a single document, that applicant canceled claims 1-81 without prejudice or disclaimer.

Applicant again points out that Examiner Tatyana Zalukaeva, Group Art Unit 1713 issued a notice of allowance on March 18, 2004 in Serial No. 10/317,775, filed December 12, 2002 by Serge Rebouillat et al. The electronic publication of this application on July 3, 2003 contains claims that are substantially the same as the claims in the present application.

Applicant again traverses the rejection on the grounds that in the March 25, 2004 communication, the examiner rejected claims 57-77 under 35 U.S.C. § 103(a) as unpatentable over Iri et al., United States Patent No. 4,711,523, or Freeman, United States Patent No. 5,218,011 each in view of Marciano-Agostinelli et al. United States Patent No. 5,049,593, whereas applicant cancelled these claims without prejudice or disclaimer on May 13, 2003 and at that time added claims 78-81 to the application.¹ The present amendment cancels claims 1-81 and adds new claims 82-99 as described above.

¹ Cf. Amendment received in the Patent Office on May 16, 2003.

These claims cover compositions comprising a dispersion of superabsorbent polymers and silicones which distinguishes them from the references the examiner cited in the March 25, 2004 rejection. The references do not teach or suggest these dispersions.

Respectfully submitted,

THE LAW OFFICES OF ROBERT J. EICHELBURG

By: Robert J. Eichelburg
Robert J. Eichelburg Reg. No. 23,057

Dated: April 29, 2004

Certificate of Facsimile Transmission under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being sent to The United States Patent and Trademark Office by facsimile transmission under 37 C.F.R. § 1.8 to Group Art Unit 1700, facsimile telephone number (703) 872-9306, on the date indicated below.

Dated: April 29, 2004

By: Robert J. Eichelburg
Robert J. Eichelburg, Reg. No 23,057